

Message Text

CONFIDENTIAL

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12

ACTION PM-09

INFO OCT-01 EA-11 ADP-00 L-03 CIAE-00 COME-00 EB-11 FMC-04

INR-10 NSAE-00 RSC-01 CG-00 COA-02 RSR-01 /053 W

----- 061886

R 300705 Z MAR 73

FM AMEMBASSY TOKYO

TO COMUSJAPAN

INFO SECSTATE WASHDC 2730

SECDEF WASHDC

JCS WASHDC

CNO WASHDC

CINCPAC

CINCPACFLT PEARL HARBOR

CG 5 TH AF FUCHU

COMNAVFORJAPAN

CDRUSARJ CP ZAMA

COMSEVENTHFLT YOKOSUKA

C O N F I D E N T I A L TOKYO 3802

E. O. 11652: GDS

TAGS: MARR JA

SUBJ: JAPANESE MARITIME TRAFFIC SAFETY LAW

REFS: A. TOKYO 3716 DTG 290720 Z MAR 73 (NOTAL)

B. COMUSJAPAN 290005 Z MAR 73 (NOTAL)

C. TOKYO 3608 DTG 270850 Z MAR 73

1. PENDING RECEIPT OF YOUR RESPONSE TO REF A, YOU SHOULD
BE AWARE OF FOLLOWING INFORMAL VIEWS WHICH WE HAVE
RECEIVED FROM FONOFF MARCH 29:

A. FONOFF ALREADY HAS DECIDED ON ITS OWN MOTION
TO EXEMPT US AMMUNITION SHIPS FROM APPLICATION OF
TRAFFIC SAFETY LAW AND WILL SEND DIRECTIVE TO THIS
EFFECT TO MSA SHORTLY. IN FONOFF VIEW, WHILE
AMMUNITION SHIPS ARE DANGEROUS, THEY PRESENT NO RPT NO
TRAFFIC MANAGEMENT AND CONTROL PROBLEM.

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B. FONOFF HAS TAKEN POSITION OF NOT RPT NOT EXEMPTING " HUGE VESSELS", SINCE THEY DO PRESENT MAJOR TRAFFIC MANAGEMENT PROBLEM, AND THEIR CONTROL CLEARLY JUSTIFIABLE.

C. FONOFF BELIEVES, HOWEVER, THAT MSA AND COMNAVFORJAPAN SOULD EASILY BE ABLE TO WORK OUT NOTIFICATION AND OTHER PROCEDURES WHICH WOULD PERMIT US " HUGE VESSELS" TO USE RESTRICTED CHANNELS WITHOUT ANY MORE HINDRANCE THAN AT PRESENT. IN FACT, ACCORDING TO FONOFF, IT WOULD BE TO NET US ADVANTAGE TO GO THROUGH NOTIFICATION PROCEDURE, PARTICULARLY FOR NAVIGATING TWO CHANNELS IN TOKYO BAY, AND THEREBY RECEIVE PRIOR ASSURANCE THAT SHIP WILL BE ABLE USE CHANNEL SAFELY AND ON SCHEDULE. FONOFF AGREED WITH EMBASSY SUGGESTION THAT, ON ASSUMPTION THAT LAW WILL BE APPLIED TO US FORCES VESSELS, IT WOULD BE ENTIRELY APPROPRIATE FOR MSA TO GIVE PRIORITY TREATMENT TO USN VESSELS ON USE OF CHANNELS.

D. FONOFF SAID THAT, WHILE LAW WILL REQUIRE USN VESSELS TO GIVE ADVANCE " NOTICE", THERE IS NO RPT NO " APPLICATION FOR PERMISSION" TO USE CHANNEL. IN OTHER WORDS, JUSTIFICATION NOT REQUIRED.

2. MEANWHILE, MSA HAS INFORMED EMBASSY THAT IT WOULD LIKE TO BRIEF COMNAVFORJAPAN ON RECENT MINISTERIAL ORDINANCE.

3. INCIDENTAL NOTE: FONOFF SAID THAT BOTH IT AND JDA WERE UPSET WHEN MINISTRY OF TRANSPORTATION, UNILATERALLY AND WITHOUT WARNING, ISSUED MINISTERIAL ORDER ON MARCH 27.

4. COMMENT: EMBASSY BELIEVES PARA ONE ABOVE MERITS CAREFUL CONSIDERATION BEFORE ANY FINAL DECISION IS MADE TO SEEK COMPLETE EXEMPTION VIA JOINT COMMITTEE. RECOMMEND THAT MSA- COMNAVFORJAPAN MEETING BE HELD SOONEST, WITHOUT AWAITING COMPLETE TRANSLATION OF LENGTHY MINISTERIAL ORDER. INGERSOLL

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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

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